

# PATENT COOPERATION TREATY

Copy

From the INTERNATIONAL SEARCHING AUTHORITY

## PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

To:  
JEFFREY G. TOLER  
5000 PLAZA ON THE LAKE  
SUITE 265  
AUSTIN, TX 78746

Date of mailing  
(day/month/year)

Applicant's or agent's file reference  
MS1003-WO

**FOR FURTHER ACTION** See paragraphs 1 and 4 below

International application No.  
PCT/US05/02153

International filing date  
(day/month/year) 24 January 2005 (24.01.2005)

Applicant  
SBC KNOWLEDGE VENTURES, L.P.

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally 3 months from the date of transmittal of the international search report.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70.

**For more detailed instructions,** see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to the protest against payment of (an) additional fee(s) under Rule 40.2,** the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/ US  
Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Facsimile No. (571) 273-3201

Authorized officer

Toan Nguyen

Telephone No. 703-872-9306

*Rugenio Zogan*

# PATENT COOPERATION TREATY

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JEFFREY G. TOLER  
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AUSTIN, TX 78746

## PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

|  |  |
|--|--|
| Applicant's or agent's file reference<br>MS1003-WO | Date of mailing<br>(day/month/year) <b>30 MAR 2006</b><br><br><b>FOR FURTHER ACTION</b> See paragraphs 1 and 4 below |
| International application No.<br>PCT/US05/02153    | International filing date<br>(day/month/year) 24 January 2005 (24.01.2005)   |
| Applicant<br>SBC KNOWLEDGE VENTURES, L.P.          |  |

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70.

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
  - ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

|  |  |
|--|--|
| Name and mailing address of the ISA/ US<br>Mail Stop PCT, Attn: ISA/US<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, Virginia 22313-1450<br>Facsimile No. (571) 273-3201 | Authorized officer<br>Toan Nguyen <i>Rugenia Zagan</i><br>Telephone No. 703-872-9306 |
|--|--|

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

|  |  |   |
|--|--|---|
| Applicant's or agent's file reference<br>MS1003-WO | <b>FOR FURTHER ACTION</b><br>see Form PCT/ISA/220<br>as well as, where applicable, item 5 below. |   |
| International application No.<br>PCT/US05/02153    | International filing date ( <i>day/month/year</i> )<br>24 January 2005 (24.01.2005)              | (Earliest) Priority Date ( <i>day/month/year</i> )<br>12 February 2004 (12.02.2004) |
| Applicant<br>SBC KNOWLEDGE VENTURES, L.P.          |  |   |

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the Report**

a. With regard to the **language**, the international search was carried out on the basis of:



the international application in the language in which it was filed.



a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box No. II)

3. ☐ **Unity of invention is lacking** (See Box No. III)

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/02153

## Box IV TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

In a particular embodiment, the disclosure is directed to a method of making a digital subscriber line (DSL) connection to a remote network. The method includes detecting the presence of a powered-on network capable device (102) that is connected to a DSL modem, (110) establishing a network connection over a DSL line (112) to the remote network (116) after detecting the presence of the powered on the network capable device (102); terminating the network connection over the DSL line (112) after detecting an absence of network capable devices (102, 104) connected to the DSL modem (110); and releasing network resources supported by the remote network (116) after the network connection is terminated.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/02153

|  |   |   |   |   |
|--|---|---|---|---|
| <b>A. CLASSIFICATION OF SUBJECT MATTER</b><br>IPC: <b>H04L 12/66( 2006.01)</b><br><br>USPC: 370/395.2, 401, 463; 709/225, 227<br>According to International Patent Classification (IPC) or to both national classification and IPC   |   |   |   |   |
| <b>B. FIELDS SEARCHED</b><br><br>Minimum documentation searched (classification system followed by classification symbols)<br>U.S. : 370/395.2, 401, 463; 709/225, 227<br><br>Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched<br><br>Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)<br>Please See Continuation Sheet   |   |   |   |   |
| <b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>  |   |   |   |   |
| Category *   | Citation of document, with indication, where appropriate, of the relevant passages  | Relevant to claim No.   |   |   |
| Y  | US 2003/0055987 A1 (JI et al) 20 March 2003 (20.03.2003), see the entire document.  | 1-18  |   |   |
| Y  | US 2003/0131107 A1 (GODSE et al) 10 July 2003 (10.07.2003), see the entire document.  | 1-18  |   |   |
| Y  | US 6,240,464 B1 (FIJOLEK et al) 29 May 2001 (29.05.2001), see the entire document.  | 1-18  |   |   |
| <input type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.  |   |   |   |   |
| <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>* Special categories of cited documents:</p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier application or patent published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> </td> <td style="width: 50%; vertical-align: top;"> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&amp;" document member of the same patent family</p> </td> </tr> </table> |   |   | <p>* Special categories of cited documents:</p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier application or patent published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> | <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&amp;" document member of the same patent family</p> |
| <p>* Special categories of cited documents:</p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier application or patent published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p>  | <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&amp;" document member of the same patent family</p> |   |   |   |
| Date of the actual completion of the international search<br>13 February 2006 (13.02.2006)   |   | Date of mailing of the international search report<br>30 MAR 2006   |   |   |
| Name and mailing address of the ISA/US<br>Mail Stop PCT, Attn: ISA/US<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, Virginia 22313-1450<br>Facsimile No. (571) 273-3201  |   | Authorized officer<br>Toan Nguyen<br>Telephone No. 703-872-9300<br> |   |   |

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/02153

Continuation of B. FIELDS SEARCHED Item 3:

EAST

(DSL or (digital with subscriber with line)) with (internet or network)

(computer or PC) with (turn\$3 or switch\$3 or power\$3) with off with (disconnect\$3 or terminat\$3 or releas\$3) with (internet or network)

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
JEFFREY G. TOLER  
5000 PLAZA ON THE LAKE  
SUITE 265  
AUSTIN, TX 78746

# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

30 MAR 2006

|   |  |  |
|---|--|--|
| Applicant's or agent's file reference<br>MS1003-WO  |  | Date of mailing (day/month/year)<br>30 MAR 2006                            |
| International application No.<br>PCT/US05/02153   |  | International filing date (day/month/year)<br>24 January 2005 (24.01.2005) |
| International Patent Classification (IPC) or both national classification and IPC<br>IPC: H04L 12/66( 2006.01)<br>USPC: 370/395.2,401,463;709/225,227 |  | Priority date (day/month/year)<br>12 February 2004 (12.02.2004)            |
| Applicant<br>SBC KNOWLEDGE VENTURES, L.P.   |  |  |

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

|  |   |   |
|--|---|---|
| Name and mailing address of the ISA/ US<br>Mail Stop PCT, Attn: ISA/US<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, Virginia 22313-1450<br>Facsimile No. (571) 273-3201 | Date of completion of this opinion<br>13 February 2006 (13.02.2006) | Authorized officer<br>Toan Nguyen<br>Telephone No. 702-872-9306 |
|--|---|---|

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US05/02153

**Box No. I Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/02153

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

|                               |                          |     |
|-------------------------------|--------------------------|-----|
| Novelty (N)                   | Claims <u>1-18</u>       | YES |
|                               | Claims <u>NONE</u>       | NO  |
| Inventive step (IS)           | Claims <u>9-10</u>       | YES |
|                               | Claims <u>1-8, 11-18</u> | NO  |
| Industrial applicability (IA) | Claims <u>1-18</u>       | YES |
|                               | Claims <u>NONE</u>       | NO  |

**2. Citations and explanations:**

Please See Continuation Sheet

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/02153

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

**V. 2. Citations and Explanations:**

1. Claims 1 and 11-16 lacks an inventive step under PCT Article 33(3) as being obvious over Ji et al. (US 2003/0055987) in view of Godse et al. (US 2003/0131107).

For claim 1, Ji et al. disclose automatic internet access method using digital subscriber line comprising:  
detecting the presence of a powered-on network capable device that is connected to a DSL modem (paragraph [0059]);  
establishing a network connection over a DSL line to the remote network after detecting the presence of the powered on network capable device (paragraph [0053]).

However, Ji et al. do not expressly disclose terminating the network connection over the DSL line after detecting an absence of network capable devices connected to the DSL modem; and releasing network resources supported by the remote network after the network connection is terminated. In an analogous art, Godse et al. disclose terminating the network connection over the DSL line after detecting an absence of network capable devices connected to the DSL modem; and releasing network resources supported by the remote network after the network connection is terminated (paragraph [0031]).

To combine Godse et al. in Ji et al. would not involve in an inventive step.

For claims 11-12, Ji et al. disclose automatic internet access method using digital subscriber line comprising:  
a user activates a switch on a digital subscriber line (DSL) router, the switch used to selectively connect a PPPoE wide area network connection from the DSL router to a remote network (paragraphs [0036] and [0053]); and  
instructing the router to make a PPPoE connection over the wide area network in response to receiving connection command (paragraph [0036]). However, Ji et al. do not expressly disclose receiving a manual connection command and in response to receiving the manual connection command. In an analogous art, Godse et al. disclose receiving a manual connection command and in response to receiving the manual connection command (paragraph [0034]). Godse et al. disclose further comprising receiving a manual disconnect command after the user activates the switch to disconnect the PPPoE connection and further comprising instructing the router to disconnect the PPPoE connection in response to receiving the manual disconnect command (paragraph [0029] as set forth in claim 12).

To combine Godse et al. in Ji et al. would not involve in an inventive step.

For claims 13-15, Ji et al. disclose automatic Internet access method using digital subscriber line comprising:  
a digital subscriber line (DSL) router (figure 1, reference 4) coupled to a digital subscriber line (figure 1, reference 5) connected to a remote digital subscriber line access multiplexer (figure 1, reference 6), the digital subscriber line router to detect the presence of a

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/02153

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

powered-on network capable device that is connected to the DSL router (paragraphs [0034] and [0059]); and a digital subscriber line (figure 1, reference 4) between the digital subscriber line router (figure 1, reference 4) and the digital subscriber line access multiplexer (figure 1, reference 6), wherein a network connection is made over the digital subscriber line after detects the presence of the powered-on network capable device (figure 1, paragraph [0034]). However, Ji et al. do not disclose detection logic to detect the presence of a powered-on network capable device. In an analogous art, Godse et al. disclose detection logic to detect the presence of a powered-on network capable device (paragraph [0024]). Godse et al. disclose wherein the digital subscriber line router terminates the network connection over the DSL line after detecting an absence of network capable devices connected to the DSL router (paragraph [0031] as set forth in claims 14 and 15).

To combine Godse et al. in Ji et al. would not involve in an inventive step.

For claim 16, Ji et al. disclose wherein the network connection is a point to point over Ethernet connection ((paragraph [0035])).

2. Claims 2-4 lack an inventive step under PCT Article 33(3) as being obvious over Ji et al. (US 2003/0055987) in view of Godse et al. (US 2003/0131107) further in view of Fijolek et al. (US 6,240,464).

For claims 2-4, Ji et al. in view of Godse et al. do not disclose assigning a dynamic lease to the network capable device. In an analogous art, Fijolek et al. disclose assigning a dynamic lease to the network capable device (figure 18, col. 29 lines 2-6). Fijolek et al. disclose further comprising determining when the dynamic lease expires (figure 18, col. 29 lines 19-24 as set forth in claim 3), terminating the network connection over the DSL line after detecting that the lease has expired (figure 18, col. 29 lines 29-31 as set forth in claim 4).

To combine Fijolek et al. in Ji et al. would not involve in an inventive step.

3. Claim 5 lacks an inventive step under PCT Article 33(3) as being obvious over Fijolek et al. (US 6,240,464) in view of Ji et al. (US 2003/0055987)

For claim 5, Fijolek et al. disclose method and system for managing addresses for network host interfaces in a data-over-cable system comprising:

assigning a dynamic lease to a network capable device (figure 18, col. 29 lines 2-10);

establishing a network connection to the remote network after detecting the presence of a network capable device having an assigned lease (figure 18, col. 29 lines 11-15);

determining that the dynamically assigned lease has expired (figure 18, col. 29 lines 19-24); and

terminating the network connection over the DSL line after detecting that the lease has expired (figure 18, col. 29 lines 29-31).

However, Fijolek et al. do not expressly disclose a network capable device to permit subsequent connection to a remote network via a DSL modem, a network connection between the DSL modem over a DSL line. In an analogous art, Ji et al. disclose a network capable device to permit subsequent connection to a remote network via a DSL modem, a network connection between the DSL modem over a DSL line (figure 1, paragraph [0034]).

To combine Ji et al. in Fijolek et al. would not involve in an inventive step.

4. Claims 6-8 and 17-18 lack an inventive step under PCT Article 33(3) as being obvious over Ji et al. (US 2003/0055987) in view of Fijolek et al. (US 6,240,464).

For claims 6-7, Ji et al. disclose automatic internet access method using digital subscriber line comprising:

a user selects a graphic display icon on a display screen, the selection of the graphic display icon to selectively connect a PPPoE wide area network connection from a router to a remote network (paragraphs [0051] and [0053]; and

instructing the router to make a PPPoE connection over the wide area network in response to receiving the user command

(paragraphs [0052] and [0053]). However, Ji et al. do not expressly disclose receiving a user command. In an analogous art, Fijolek et al. disclose receiving a user command (col. 29 lines 2-5). Fijolek et al. disclose receiving a second user command after the user selects

the graphic display icon to disconnect the PPPoE connection and instructing the router to disconnect the PPPoE connection in response to receiving the second user command (figure 18, col. 29 lines 29-31 as set forth in claim 7).

To include Fijolek et al. in Ji et al. would not involve in an inventive step.

For claim 8, Ji et al. disclose displaying a connection status indicator on the display (paragraph [0053]).

For claims 17-18, Ji et al. disclose automatic Internet access method using digital subscriber line comprising:

a digital subscriber line router (figure 1, reference 4) coupled to a digital subscriber line (figure 1, reference 5) connected to a remote digital subscriber line access multiplexer (figure 1, reference 6), the digital subscriber line router including lease assignment logic to dynamically assign a lease to a network capable device to permit subsequent connection to a remote network via the digital subscriber line; and

a digital subscriber line (figure 1, reference 5) between the digital subscriber line router (figure 1, reference 4) and the digital subscriber line access multiplexer (figure 1, reference 6) (paragraph [0034]).

However, Ji et al. do not expressly disclose lease assignment logic to dynamically assign a lease to a network capable device to permit subsequent connection to a remote network via the digital subscriber line; and

wherein a network connection is made over the digital subscriber line after the lease assignment logic has assigned a lease to the network capable device. In an analogous art, Fijolek et al. disclose lease assignment logic to dynamically assign a lease to a network capable device to permit subsequent connection to a remote network via the digital subscriber line; and wherein a network connection is made over the digital subscriber line after the lease assignment logic has assigned a lease to the network capable device (figure 18, col. 29 lines 11-15). Fijolek et al. disclose wherein the digital subscriber line router determines that the dynamically assigned lease has expired and terminates the network connection over the DSL line after detecting that the lease has expired (col. 29 lines 19-31 as set forth in claim 18).

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/02153

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

To include Fijolek et al. in Ji et al. would not involve in an inventive step.

5. Claim 9-10 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest: wherein the connection status indicator is a graphic display that is a first color to indicate a connection and a second color to indicate a disconnection (as set forth in claim 9), and wherein the first color is green and the second color is red (as set forth in claim 10).

## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under Article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

**It must be in the language in which the international application is to be published.**

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1bis(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.